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13. (Amended) A power generator comprising a building material according to Claim 1, and a power inverter electrically connected to a solar cell unit and for receiving electric power generated by the solar cell unit.

#### REMARKS

There are now pending in this application Claims 1, 3-4 and 6-13, with Claims 1, 4, 9 and 12 being the independent claims. Claims 2 and 5 have been cancelled without prejudice or waiver of their subject matter. Claims 1, 3, 4, 9, 12 and 13 have been amended.

In response to the Examiner's comments, the Abstract has been amended. Additionally, certain idiomatic and spelling informalities have been resolved in the specification to place the application in better form. Favorable consideration is requested.

In the Official Action dated September 15, 1999, Claims 1, 3 and 13 were rejected under 35 U.S.C. § 112, second paragraph. The relevant claims have been amended to address the specific rejections cited by the Examiner and Applicants therefore respectfully request withdrawal of the rejections under 35 U.S.C. § 112.

Claims 1-3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,409,549 (Mori) in view

of U.S. Patent No. 5,470,657 (Hayami). Claims 4-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,589,006 (Itoyama, et al.) in view of Hayami.

Reconsideration and withdrawal of the rejections are respectfully requested in view of the above amendments and the following remarks.

The rejections of Claims 1-13 over the cited art respectfully are traversed. Nevertheless, without conceding the propriety of the rejections, Claims 1, 4, 9 and 12 have been amended even more clearly to recite various novel features of the present invention. In particular, Claims 2 and 5 have been cancelled and their features have been incorporated into the independent claims. Support for the proposed amendments may be found in the original application, for example, at page 14, line 13, et. seq. No new matter has been added.

With respect to Claim 1, the present invention relates to a building material comprising a substrate; a solar cell unit fixed to the substrate; and an electrical conductive lead for leading output from the solar cell unit to the outside. A jacket material of the electrical conductive lead is composed of at least one selected from the group consisting of polyethylene resins, polyamide resins, vinylidene fluoride resins, chloroprene rubber, ethylene-propylene rubber, silicone resins, and flourouresins. The substrate is composed of at least

one selected from the group consisting of metals, resins and glass.

With respect to Claim 4, the present invention relates to a cladding assembly comprising a plurality of building materials each of which comprise a substrate and a solar cell unit fixed to the substrate on a backing material by a fixing member. The cladding assembly also comprises electrical conductive leads arranged between the building materials and the backing material to contact the backing material, for leading output from the solar cell units to the outside. The jacket material of each of the electrical conductive leads is composed of at least one selected from the group consisting of polyethylene resins, polyamide resins, vinylidene fluoride resins, chloroprene rubber, ethylene-propylene rubber, silicone resins, and flouroresins. The backing material contains any one of asphalt resins, vinyl chloride resins, polystyrene resins and polyurethane resins. The substrate is composed of at least one selected from the group consisting of metals, resins, and glass.

Claims 9 relates to a method of installing a building material and corresponds generally to independent Claim 4.

With respect to Claim 12, the present invention relates to an air flowing apparatus comprising a building material which comprises a substrate and a solar cell unit fixed to the substrate and which is fixed to a backing material with a

space therebetween so that the outside air flows in the space, passes through the space and is entrapped in a house or discharged to the outdoors. The air flowing apparatus also comprises an electrical conductive lead arranged between the building material and the backing material to contact the backing material, for leading output from the solar cell unit to the outside. A jacket material of the electrical conductive lead is composed of at least one selected from the group consisting of polyethylene resins, polyamide resins, vinylidene fluoride resins, chloroprene rubber, ethylene propylene rubber, silicone resins, and fluoro resins. The backing material contains any one of asphalt resins, vinyl chloride resins, polystyrene resins and polyurethane resins. The substrate is composed of at least one selected from the group consisting of metals, resins, and glass.

The Mori patent relates to a solar cell module panel that is mounted and fixed on roof rafters wherein at least one side edge portion of each solar cell module is held and fixed between the roof rafter and a solar cell module fastener member fixed to the roof rafter. However, Applicants submit that the Mori patent fails to disclose or suggest a substrate composed of at least one selected from the group consisting of metals, resins and glass.

The other primary citation to Itoyama, et al., relates to a solar cell module and a passive solar heating system

using the solar cell module. However, Itoyama, et al. also fails to disclose or suggest a substrate that is composed of at least one selected from the group consisting of metals, resins and glass.

The secondary citation to Hayami teaches a heat resistant high voltage insulated lead wire for direct current with an insulating coating over the conductor that is formed by a polyolethen resin composition. However, Hayami fails to disclose or suggest a substrate that is composed of at least one selected from the group consisting of metals, resins and glass.

Accordingly, without conceding the propriety of combining Mori or Itoyama, et al. with Hayami, it is submitted that such combinations still fail to teach or suggest Applicants' claimed invention.


Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are respectfully requested.

For the above reasons, Applicants submit that independent Claims 1, 4, 9 and 12 are allowable over the cited art. The dependent claims depend from the independent claims and are believed allowable for the same reasons. Moreover, each of these dependent claims recite additional features in combination with the features of their respective independent claims and is believed allowable in its own right. Individual consideration of the dependent claims respectfully is requested.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action and submits that the application is in condition for allowance. Favorable consideration of the claims and early passage to issue of the present application earnestly are solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
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